

(PCT Article 36 and Rule 70)

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| Date of submission of the demand | Date of completion of this report |
| Name and mailing address of the IPEA/EP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008437

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-11 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-13 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/2-2/2 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008437

| Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | |
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| 1. | Statement | | |
| | Novelty (N) | Claims <u>1-10</u> | YES |
| | | Claims _____ | NO |
| | Inventive step (IS) | Claims <u>1-10</u> | YES |
| | | Claims _____ | NO |
| | Industrial applicability (IA) | Claims <u>1-10</u> | YES |
| | | Claims _____ | NO |
| 2. | Citations and explanations (Rule 70.7) | | |
| 1 | Reference is made to the following documents: | | |
| | <p>D1: WO 02/33922 A2 (SCHWARTE, RUDOLF) 25 April 2002 (2002-04-25)</p> <p>D2: DE 198 21 974 A1 (SCHWARTE, RUDOLF) 25 November 1999 (1999-11-25)</p> <p>D3: DE 197 04 496 A1 (SCHWARTE, RUDOLF, PROF. DR.-ING., 57250 NETPHEN, DE; SCHWARTE, RUDOLF) 12 March 1998 (1998-03-12)</p> <p>D4: HEINOL H G ET AL: "PHOTOMISCHDETEKTOR ERFASST 3D-BILDER NEUES OPTISCHES BAUELEMENT VEREINIGT DETEKTION UND MISCHUNG" ELEKTRONIK, FRANZIS VERLAG GMBH. MUNCHEN, DE, Vol. 48, No. 12, 15 June 1999 (1999-06-15), pages 80, 82, 84, 86, 88, 90, XP000913168 ISSN: 0013-5658</p> | | |
| 2 | <p>The application does not meet the requirements of PCT Article 6 because claim 1 is unclear.</p> <p>In claim 1 it is not clear whether the collection zones and the control zones are the same or, as is argued in the application and in the letter of</p> | | |

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|-----------|---|
| | 17 May 2005, separate. |
| 3 | The subject matter of a clear (see point 2 above) claim 1 would appear to be novel and inventive in relation to the disclosures of documents D1-D4. The current application thus meets the requirements of PCT Article 33(2) and (3). |
| 4 | Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1 and D4 or indicate the relevant prior art disclosed therein. |
| 5 | Pursuant to PCT Article 6, the description should be brought into line with the claims. |